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HARNESS, DICKEY & PIERCE, P.L.C.			PREVIL, DANIEL	
P.O. BOX 8910			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/542,071	OTT, REINHOLD	
	Examiner	Art Unit	
	Daniel Previl	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 13 July 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-68 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-68 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date 7/13/05 to 13105

4) Interview Summary (PTO-413)

 Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-14, 23, 25-46, 48, 51-68, are rejected under 35 U.S.C. 102(b) as being anticipated by Soleimani (US 4,804,943).

Regarding claims 1, 8, Soleimani discloses method for protecting a commercial product against theft (abstract), the method comprising: activating a receiver 18 housed in a security unit (briefcase 10 and siren 22 in fig. 1), the security unit thereby being in an on-state mode (col. 1, line 24) and shifting the security unit from the on state mode to a connect mode (initiate operation of the siren 22 in col. 2, line 47) when the receiver is impinged by a transmitter (upon actuation of the transmitter 30, radio signals will be received by antenna 20 and receiver 18 and siren 22 will be actuated in col. 2, lines 35-39).

Regarding claims 2, 9, Soleimani discloses the security unit is placed in the on-state mode when it is switched on (fig. 1; col. 2, lines 35-39).

Regarding claims 3, 10, 37, 40, Soleimani discloses the connect mode, the security unit is prepared for a shift to a monitoring mode (control the range beyond which the siren 22 would automatically be actuated in fig. 1, col. 2, lines 35-52).

Regarding claims 4, 11, Soleimani discloses the receiver is deactivated when the security unit shifts to the connect mode (beyond certain range the receiver is disengaged and the siren 22 would automatically be actuated in col. 2, lines 44-52).

Regarding claims 5, 12, Soleimani discloses the security unit is shifted from the connect mode to an alarm mode, if it is not prepared within a preset time interval for a shift to the monitoring mode and the receiver is activated when the security unit shifts to the alarm mode (fig. 2; col. 2, lines 31-39).

Regarding claims 6, 13, 36, 39, Soleimani discloses an attempted theft will result in a shift to an alarm mode wherein in the monitoring mode the receiver is deactivated and wherein the receiver is activated when the security unit shifts to the alarm mode (fig. 2; col. 2, lines 27-52).

Regarding claims 7, 14, Soleimani discloses wherein the alarm mode is terminated when the receiver is impinged upon by the transmitter (col. 2, lines 35-39).

Regarding claims 23, 61, Soleimani discloses the security unit and the central unit are indicated via at least one acoustic signal (siren 22 in fig. 1; col. 2, line 39).

Regarding claims 25-26, 62, Soleimani discloses energy source (power supply 28 in fig. 1-fig. 2).

Regarding claim 27, Soleimani discloses at least one of multiple security units and multiple central units are operated using a single transmitter (fig. 1-fig. 2).

Regarding claims 28-34, 41-45, 52-54, 56, 58, 63-68, Soleimani discloses security unit is equipped with a bracket component mounting to the product, a monitoring of the bracket component for proper attachment to the product is activated (fig. 3).

Regarding claims 35, 38, Soleimani discloses device for protecting a commercial product against theft (abstract) comprising: a security unit including an on-state mode in which a receiver housed in the security unit is activated (fig. 1) wherein the receiver is deactivated in connect mode of the security unit (col. 2, line 30-31 and lines 44-52).

Regarding claim 46, Soleimani discloses a transmitter designed as a remote operation system is provided for impinging upon the receiver (fig. 7).

Regarding claim 48, 55, Soleimani discloses at least one of the security unit and the central unit includes at least one optical and acoustic signal generators (siren 22 in fig. 1).

Regarding claims 51, 59-60, Soleimani discloses a housing of at least one of the security unit and the central unit is at least partially translucent or transparent (adhesive in col. 2, lines 21-26).

Regarding claim 57, Soleimani discloses the adhesive strip is a double-sided adhesive strip (col. 2, lines 24-26).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 15-22, 24, 47, 49-50, are rejected under 35 U.S.C. 103(a) as being unpatentable over Soleimani (US 4,804,943) in view of D'Angelo et al. (US 6,133,830).

Regarding claim 15, Soleimani discloses the transmitter transmits impinges upon the receiver (fig. 1) but fails to explicitly disclose a selection signal.

However, D'Angelo disclose a selection signal (fig. 3; col. 7, lines 13-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate D'Angelo's selection signal into Soleimani's system. Doing so would modify Soleimani's system with D'Angelo's selection signal in order to obtain accurate information preventing stolen articles thereby improving the security of the system.

Regarding claims 16-18, Soleimani discloses the alarm mode shifts to the connect mode that was received by the system in the on-state mode (fig. 1-fig. 2) but fails to specify a selection signal.

However, D'Angelo disclose a selection signal (fig. 3; col. 7, lines 13-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate D'Angelo's selection signal into Soleimani's system. Doing so would modify Soleimani's system with D'Angelo's

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selection signal in order to obtain accurate information preventing stolen articles thereby improving the security of the system.

Regarding claims 19, 47, Soleimani discloses all the limitations above but fails to explicitly disclose the selection signal is stored in the receiver in a volatile memory.

However, D'Angelo discloses the selection signal is stored in the receiver in a volatile memory (col. 4, lines 29-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate D'Angelo's selection signal into Soleimani's system. Doing so would modify Soleimani's system with D'Angelo's selection signal in order to obtain accurate information preventing stolen articles thereby improving the security of the system.

Regarding claim 20, Soleimani the security unit, the central unit are switched off and on in series, in order to subsequently transfer to the security unit (fig. 1-fig. 2) but fails to explicitly disclose a selection signal.

However, D'Angelo disclose a selection signal (fig. 3; col. 7, lines 13-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate D'Angelo's selection signal into Soleimani's system. Doing so would modify Soleimani's system with D'Angelo's selection signal in order to obtain accurate information preventing stolen articles thereby improving the security of the system.

Regarding claims 21-22, Soleimani discloses the transmitter to the receiver, a remote operation system is used (fig. 1-fig. 2) but fails to explicitly disclose a selection signal.

However, D'Angelo disclose a selection signal (fig. 3; col. 7, lines 13-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate D'Angelo's selection signal into Soleimani's system. Doing so would modify Soleimani's system with D'Angelo's selection signal in order to obtain accurate information preventing stolen articles thereby improving the security of the system.

Regarding claim 24, Soleimani discloses all the limitations in claim 8 but fails to explicitly disclose at least one of the optical and acoustic signal is modulated based upon an amount of time remaining time interval.

However, D'Angelo discloses at least one of the optical and acoustic signal is modulated based upon an amount of time remaining time interval (col. 5, lines 37-55).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate D'Angelo's timer into Soleimani's system. Doing so would modify Soleimani's system with D'Angelo's time in order to obtain accurate information preventing stolen articles thereby improving the security of the system.

Regarding claims 49-50, the examiner takes the official notice that "light emitting diodes and piezoelectric transducers" are well known in the art.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matsudaira (US 6,043,744) discloses antitheft system.

Ireland et al. (US 7,015,814) discloses security tag.

Olah (US 5,396,218) discloses a portable security system using communicating cards.

Drori (US 5,650,774) discloses electronically programmable remote control access system.

Farrar et al. (US 4,686,513) discloses electronic surveillance using self-powered article attached tags.

Russo et al. (US 5,640,144) discloses an RF/ultrasonic separation distance alarm.

Shaughnessy (US 4,027,276) discloses transmitter for a coded electronic security system.

Enkelmann (US 4,851,815) discloses a device for the monitoring of objects and/or persons.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is (571) 272-2971. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel WU can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Previl
Examiner
Art Unit 2612

DP
April 20, 2007.


BENJAMIN C. LEE
PRIMARY EXAMINER

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